

M. Gregory Weisz (Wyo. Bar #6-2934)
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ATTORNEYS FOR DEFENDANT
PHILLIP A. WOLF

**IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

SCOTT WHITMIRE,

Plaintiff,

v.

PHILLIP A. WOLF; KATHLEEN
CARRASCO (a/k/a KATHLEEN WOLF);
BRADLEY A. WOLF; JENNIFER WOLF;
WOLF AUTO GROUP, LLC; ALLIANCE
CAPITAL GROUP, LLC; WOLF AUTO
CENTER, LLC; WOLF'S INTERSTATE
LEASING AND SALES, LLC; WOLF
AUTO CENTER JACKSON, LLC; WOLF'S
PINEDALE DODGE, LLC; WOLF'S
WHITEHALL FORD, LLC; DAVID
DELOACH; THOMAS E. RICE; NANCY
K. RICE and Does 1 through 10,

Defendants.

Case 2:18-cv-00120-ABJ
Honorable Alan B. Johnson

**DEFENDANT PHILLIP A. WOLF'S
ANSWER TO COMPLAINT**

Defendant Phillip A. Wolf, by and through counsel, Pence and MacMillan LLC, for his Answer to the Complaint filed by Plaintiff Scott Whitmire, states and responds as follows:

1. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 1** of the Complaint and therefore denies all allegations of said paragraph.

2. This Defendant denies the allegations of **Paragraph 2** of the Complaint.

3. This Defendant denies the allegations of **Paragraph 3** of the Complaint.

4. This Defendant admits the allegations of **Paragraph 4** of the Complaint.
5. This Defendant denies the allegations of **Paragraph 5** of the Complaint.
6. This Defendant admits the allegations of **Paragraph 6** of the Complaint.
7. This Defendant admits the allegations of **Paragraph 7** of the Complaint.
8. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 8** of the Complaint and therefore denies all allegations of said paragraph.
9. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 9** of the Complaint and therefore denies all allegations of said paragraph.
10. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 10** of the Complaint and therefore denies all allegations of said paragraph.
11. This Defendant denies the allegations of **Paragraph 11** of the Complaint.
12. The document or documents referenced in **Paragraph 12** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.
13. This Defendant denies the allegations of **Paragraph 13** of the Complaint.
14. This Defendant admits the allegations of **Paragraph 14** of the Complaint.
15. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations in the first sentence of **Paragraph 15** of the Complaint. This Defendant denies the remaining allegations of **Paragraph 15**.
16. This Defendant denies the allegations of **Paragraph 16** of the Complaint.

17. This Defendant admits the allegations of **Paragraph 17** of this Complaint where Plaintiff alleges Wolf's Interstate Leasing and Sales, LLC was administratively dissolved on December 10, 2011. This Defendant denies the remaining allegations of **Paragraph 17** of the Complaint.

18. This Defendant admits the allegations of **Paragraph 18** of the Complaint.

19. This Defendant admits the allegations of **Paragraph 19** of the Complaint.

20. This Defendant admits the allegations contained in the first sentence of **Paragraph 20** of the Complaint. This Defendant is without sufficient information or knowledge so as to be able to respond to the remaining allegations of **Paragraph 20** of the Complaint and therefore denies the same.

21. This Defendant denies the allegations of **Paragraph 21** of the Complaint.

22. This Defendant denies the allegations of **Paragraph 22** of the Complaint.

23. This Defendant denies the allegations of **Paragraph 23** of the Complaint.

24. This Defendant admits the allegations of **Paragraph 24** of the Complaint.

25. This Defendant admits the allegations of **Paragraph 25** of the Complaint.

26. This Defendant denies the allegations of **Paragraph 26** of the Complaint.

27. This Defendant denies the allegations of **Paragraph 27** of the Complaint.

28. This Defendant admits the allegations of **Paragraph 28** of the Complaint.

29. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 29** of the Complaint and therefore denies all allegations of said paragraph.

30. The allegations of **Paragraph 30** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied.

31. The allegations of **Paragraph 31** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied.

32. The allegations of **Paragraph 32** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied.

33. The allegations of **Paragraph 33** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied.

34. The allegations of **Paragraph 34** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied.

35. This Defendant admits the allegations of **Paragraph 35** of the Complaint.

36. This Defendant admits the allegations of **Paragraph 36** of the Complaint.

37. This Defendant admits the allegations of **Paragraph 37** of the Complaint.

38. The document or documents referenced in **Paragraph 38** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

39. This Defendant denies the allegations of **Paragraph 39** of the Complaint.

40. This Defendant denies the allegations of **Paragraph 40** of the Complaint.

41. This Defendant admits the allegations of **Paragraph 41** of the Complaint.

42. This Defendant denies the allegations of **Paragraph 42** of the Complaint.

43. This Defendant denies the allegations of **Paragraph 43** of the Complaint.

44. The document or documents referenced in **Paragraph 44** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

45. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 45** of the Complaint and therefore denies all allegations of said paragraph.

46. The document or documents referenced in **Paragraph 46** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

47. The document or documents referenced in **Paragraph 47** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

48. This Defendant admits the allegations of **Paragraph 48** of the Complaint.

49. This Defendant denies the allegations of **Paragraph 49** of the Complaint.

50. This Defendant admits the allegations of **Paragraph 50** of the Complaint.

51. This Defendant admits the allegations contained in the first two sentences of **Paragraph 51** of the Complaint. This Defendant is without sufficient information or knowledge so as to be able to respond to the remaining allegations of **Paragraph 51** of the Complaint and therefore denies the same.

52. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 52** of the Complaint and therefore denies all allegations of said paragraph.

53. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 53** of the Complaint and therefore denies all allegations of said paragraph.

54. The document or documents referenced in **Paragraph 54** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

55. This Defendant admits the allegations of **Paragraph 55** of the Complaint.

56. This Defendant admits in part the allegations contained **Paragraph 56** of the Complaint. This Defendant denies the allegation that “P Loose” is an alias for this Defendant. This Defendant also denies the allegation that this Defendant caused both documents to be filed by use of the mail or wires.

57. This Defendant admits the allegations of **Paragraph 57** of the Complaint.

58. This Defendant admits the allegations of **Paragraph 58** of the Complaint.

59. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 59** of the Complaint and therefore denies all allegations of said paragraph.

60. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 60** of the Complaint and therefore denies all allegations of said paragraph.

61. The document or documents referenced in **Paragraph 61** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

62. This Defendant admits the allegations of **Paragraph 62** of the Complaint.

63. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 63** of the Complaint and therefore denies all allegations of said paragraph.

64. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 64** of the Complaint and therefore denies all allegations of said paragraph.

65. This Defendant admits the allegations of **Paragraph 65** of the Complaint.

66. This Defendant admits the allegations of **Paragraph 66** of the Complaint.

67. This Defendant denies the allegations of **Paragraph 67** of the Complaint.

68. This Defendant admits the allegations of **Paragraph 68** of the Complaint.

69. This Defendant admits in part the allegations of **Paragraph 69** of the Complaint. This Defendant is without sufficient information or knowledge to as to be able to respond to the allegation that either this Defendant or Kathleen Wolf (a/k/a Kathy Carrasco) caused the documents to be filed by use of the mail or wires.

70. This Defendant admits the allegations of **Paragraph 70** of the Complaint.

71. This Defendant admits the allegations contained in the first two sentences of **Paragraph 71** of the Complaint. This Defendant denies the allegations that the misspelling of Carrasco's last name and the word "Capital" were not accidental and instead were done with intent to deceive Plaintiff and other creditors.

72. This Defendant denies the allegations of **Paragraph 72** of the Complaint.

73. This Defendant admits the allegations of **Paragraph 73** of the Complaint.

74. The document or documents referenced in **Paragraph 74** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

75. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 75** of the Complaint and therefore denies all allegations of said paragraph.

76. This Defendant admits the allegations contained in the first sentence of **Paragraph 76** of the Complaint. The allegations contained in the second sentence of **Paragraph 76** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations contained in the third sentence of **Paragraph 76** of the Complaint and therefore denies the same.

77. The document or documents referenced in **Paragraph 77** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

78. The document or documents referenced in **Paragraph 78** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

79. This Defendant denies the allegations of **Paragraph 79** of the Complaint.

80. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 80** of the Complaint and therefore denies all allegations of said paragraph.

81. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 81** of the Complaint and therefore denies all allegations of said paragraph.

82. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 82** of the Complaint and therefore denies all allegations of said paragraph.

83. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 83** of the Complaint and therefore denies all allegations of said paragraph.

84. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 84** of the Complaint and therefore denies all allegations of said paragraph.

85. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 85** of the Complaint and therefore denies all allegations of said paragraph.

86. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 86** of the Complaint and therefore denies all allegations of said paragraph.

87. The document or documents referenced in **Paragraph 87** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

88. This Defendant denies the allegations of **Paragraph 88** of the Complaint.

89. This Defendant denies the allegations of **Paragraph 89** of the Complaint.

90. The document or documents referenced in **Paragraph 90** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

91. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 91** of the Complaint and therefore denies all allegations of said paragraph.

92. The document or documents referenced in in the first sentence of **Paragraph 92** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the same. This Defendant denies the allegations contained in the second sentence of **Paragraph 92** of the Complaint.

93. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 93** of the Complaint and therefore denies all allegations of said paragraph.

94. This Defendant admits the allegations of **Paragraph 94** of the Complaint.

95. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 95** of the Complaint and therefore denies all allegations of said paragraph.

96. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 96** of the Complaint and therefore denies all allegations of said paragraph.

97. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 97** of the Complaint and therefore denies all allegations of said paragraph.

98. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 98** of the Complaint and therefore denies all allegations of said paragraph.

99. The document or documents referenced in **Paragraph 99** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

100. This Defendant denies the allegations of **Paragraph 100** of the Complaint.

101. The document or documents referenced in **Paragraph 101** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

102. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 102** of the Complaint and therefore denies all allegations of said paragraph.

103. This Defendant denies the allegations of **Paragraph 103** of the Complaint.

104. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 104** of the Complaint and therefore denies all allegations of said paragraph.

105. The document or documents referenced in **Paragraph 105** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

106. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 106** of the Complaint and therefore denies all allegations of said paragraph.

107. This Defendant admits the allegations of **Paragraph 107** of the Complaint.

108. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 108** of the Complaint and therefore denies all allegations of said paragraph.

109. The document or documents referenced in **Paragraph 109** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

110. This Defendant admits the allegations of **Paragraph 110** of the Complaint.

111. This Defendant admits the allegations of **Paragraph 111** of the Complaint.

112. This Defendant admits the allegations contained in the first sentence of **Paragraph 112** of the Complaint. This Defendant denies the remaining allegations of **Paragraph 112**.

113. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 113** of the Complaint and therefore denies all allegations of said paragraph.

114. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 114** of the Complaint and therefore denies all allegations of said paragraph.

115. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 115** of the Complaint and therefore denies all allegations of said paragraph.

116. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 116** of the Complaint and therefore denies all allegations of said paragraph.

117. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 117** of the Complaint and therefore denies all allegations of said paragraph.

118. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 118** of the Complaint and therefore denies all allegations of said paragraph.

119. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 119** of the Complaint and therefore denies all allegations of said paragraph.

120. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 120** of the Complaint and therefore denies all allegations of said paragraph.

121. This Defendant admits the allegations contained in the first sentence of **Paragraph 121** of the Complaint. The document or documents referenced in the second sentence of **Paragraph 121** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the same.

122. The document or documents referenced in **Paragraph 122** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

123. The document or documents referenced in **Paragraph 123** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

124. The document or documents referenced in **Paragraph 124** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

125. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 125** of the Complaint and therefore denies all allegations of said paragraph.

126. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 126** of the Complaint and therefore denies all allegations of said paragraph.

127. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 127** of the Complaint and therefore denies all allegations of said paragraph.

128. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 128** of the Complaint and therefore denies all allegations of said paragraph.

129. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 129** of the Complaint and therefore denies all allegations of said paragraph.

130. This Defendant is without sufficient information or knowledge so as to be able to respond to the allegations of **Paragraph 130** of the Complaint and therefore denies all allegations of said paragraph.

131. The document or documents referenced in **Paragraph 131** of the Complaint speak for themselves as to the contents thereof; to the extent such documents do not speak for themselves, this Defendant denies the allegations of such paragraph.

132. This Defendant denies the allegations of **Paragraph 132** of the Complaint.

133. This Defendant hereby incorporates all responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

134. This Defendant denies the allegations of **Paragraph 134** of the Complaint.

135. This Defendant denies the allegations of **Paragraph 135** of the Complaint.

136. This Defendant denies the allegations of **Paragraph 136** of the Complaint.

137. This Defendant denies the allegations of **Paragraph 137** of the Complaint.

138. This Defendant denies the allegations of **Paragraph 138** of the Complaint.

139. This Defendant denies the allegations of **Paragraph 139** of the Complaint.

140. This Defendant denies the allegations of **Paragraph 140** of the Complaint.

141. This Defendant denies the allegations of **Paragraph 141** of the Complaint.

142. This Defendant denies the allegations of **Paragraph 142** of the Complaint.

143. This Defendant denies the allegations of **Paragraph 143** of the Complaint.

144. This Defendant denies the allegations of **Paragraph 144** of the Complaint.

145. This Defendant denies the allegations of **Paragraph 145** of the Complaint.

146. This Defendant denies the allegations of **Paragraph 146** of the Complaint.

147. This Defendant denies the allegations of **Paragraph 147** of the Complaint.

148. This Defendant denies the allegations of **Paragraph 148** of the Complaint.

149. This Defendant hereby incorporates all responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

150. This Defendant denies the allegations of **Paragraph 150** of the Complaint.

151. This Defendant denies the allegations of **Paragraph 151** of the Complaint.

152. This Defendant denies the allegations of **Paragraph 152** of the Complaint.

153. This Defendant hereby incorporates all responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

154. This Defendant denies the allegations of **Paragraph 154** of the Complaint.

155. This Defendant denies the allegations of **Paragraph 155** of the Complaint.

156. This Defendant denies the allegations of **Paragraph 156** of the Complaint.

157. This Defendant denies the allegations of **Paragraph 157** of the Complaint.

158. This Defendant denies the allegations of **Paragraph 158** of the Complaint.

159. This Defendant denies the allegations of **Paragraph 159** of the Complaint.

160. The allegations of **Paragraph 160** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied. This Defendant denies the allegations of **Paragraph 160a, 160b, 160c, 160d and 160e** of the Complaint.

161. This Defendant denies the allegations of **Paragraph 161 and all subparts** of the Complaint.

162. The allegations of **Paragraph 162** of the Complaint contain allegations of law as to which no responsive pleading is required; to the extent said allegations contain allegations of fact, such allegations are denied.

163. This Defendant denies the allegations of **Paragraph 163** of the Complaint.

164. This Defendant denies the allegations of **Paragraph 164** of the Complaint.

165. This Defendant hereby incorporates all responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

166. This Defendant denies the allegations of **Paragraph 166 and all subparts** of the Complaint.

167. This Defendant denies the allegations of **Paragraph 167 and all subparts** of the Complaint.

168. This Defendant denies the allegations of **Paragraph 168 and all subparts** of the Complaint.

169. This Defendant hereby incorporates all responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

170. This Defendant denies the allegations of **Paragraph 170** of the Complaint.

171. This Defendant denies the allegations of **Paragraph 171** of the Complaint.

172. This Defendant denies the allegations of **Paragraph 172** of the Complaint.

173. This Defendant denies the allegations of **Paragraph 173** of the Complaint.

GENERAL DENIAL

This Defendant denies any and all claims or allegations made in Plaintiff's Complaint that are not expressly admitted herein.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief can be granted.
2. The Complaint and the claims therein are barred by applicable statutes of limitation, statute of repose and/or condition precedent.
3. To the extent this Defendant filed, sent or delivered a document containing errors by the use of the mail or wires, there is no direct connection or relationship between any such action and the injury claimed to have been suffered by Plaintiff.
4. The Complaint and claims therein are barred by waiver, laches or estoppel.
5. The acts and omissions by this Defendant were not the proximate cause of any injury alleged to have been suffered by Plaintiff.

This Defendant reserves the right to add other defenses which may become apparent during the course of discovery.

WHEREFORE this Defendant prays that Plaintiff take nothing by his Complaint, that this Court dismiss this matter and that this Court afford this Defendant such other relief as this Court may deem appropriate under the circumstances.

DATED this 29th day of August 2018.

M. Gregory Weisz

M. Gregory Weisz (Wyo. Bar #6-2934)

Scott W. Meier (Wyo. Bar #6-3116)

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ATTORNEYS FOR DEFENDANT

PHILLIP A. WOLF

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of August 2018, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Gregory G. Costanza, Esq.
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/s/ M. Gregory Weisz
Pence and MacMillan LLC